

**Exhibit No. 2**

2004V00291  
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IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

RAYMOND WARE,	)	CIVIL NO. 04-00671 HG LEK
	)	
Plaintiff,	)	DEFENDANTS' RESPONSE TO
	)	PLAINTIFF'S SECOND REQUEST FOR
v.	)	DOCUMENTS TO FEDERAL
	)	DEFENDANTS
SIDNEY HAYAKAWA, Director of	)	
Transportation Security	)	
Administration - Honolulu,	)	
KEN KAMAHELE, Deputy	)	
Director, TRANSPORTATION	)	
SECURITY ADMINISTRATION;	)	
MICHAEL CHERTOFF, Secretary,	)	
Department of Homeland	)	
Security, DEPARTMENT OF	)	
HOMELAND SECURITY; JOHN DOES	)	
1-5,	)	
Defendants.	)	

DEFENDANTS' RESPONSE TO PLAINTIFF'S SECOND  
REQUEST FOR DOCUMENTS TO FEDERAL DEFENDANTS

Come now Defendants to provide their Response to Plaintiff's  
Second Request for Documents to Federal Defendants pursuant to  
Rule 34 of the Federal Rules of Civil Procedure, as follows:

improprieties, discrimination, favoritism, whistle blowing or retaliation.

4. Documents reflecting recertification test scores and results of TSA screeners who worked in Honolulu from 2001 through 2004.

**ANSWER:** Defendant objects to this request on the grounds that it seeks information that is not calculated to lead to the discovery of admissible evidence. Defendant also objects to this request on the grounds that it seeks information maintained in a system of records protected by the Privacy Act. Finally, Defendant further objects to this request on the grounds that it seeks Sensitive Security Information, the release of which to Plaintiff is not permitted under 49 C.F.R. §§ 1520.9 (2).

5. Documents reflecting persons' names who gave recertification test to Plaintiff Raymond Ware in 2003, and results of test showing manner of pass/fail.

**ANSWER:** Defendant objects to this request on the grounds that it seeks information that is not calculated to lead to the discovery of admissible evidence. Defendant also objects to this request on the grounds that it seeks information maintained in a system of records protected by the Privacy Act. Finally, Defendant further objects to this request on the grounds that it seeks Sensitive Security Information, the release of which to Plaintiff is not permitted under 49 C.F.R. §§ 1520.9 (2).

6. Documents reflecting complaints concerning the recertification test as given by Lockheed Martin's employees at Honolulu International Airport TSA for the years 2002 through 2004.

**ANSWER:** Defendant objects to this request on the grounds that it is vague, overbroad, unduly burdensome, and because it is not calculated to lead to the discovery of admissible evidence. Subject to and without waiving the foregoing objection, Defendant responds that, other than Plaintiff's complaints, it is unaware of any complaints about the

recertification process administered by Lockheed-Martin in 2003 at the Honolulu International Airport.

7. Documents reflecting TSA employee complaints about the recertification test as given by Lockheed Martin employees to TSA employees for the years 2002 through 2004, and any charges as a result of the complaints.

**ANSWER:** Defendant objects to this request on the grounds that it is vague, overbroad, unduly burdensome, and because it is not calculated to lead to the discovery of admissible evidence. Subject to and without waiving the foregoing objection, Defendant responds that, other than Plaintiff's complaints, it is unaware of any complaints about the recertification process administered by Lockheed-Martin in 2003 at the Honolulu International Airport.